

PLEASE MAINTAIN FOR EMPLOYEE USE THROUGH CLOSING DATE

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY (MANPOWER AND RESERVE AFFAIRS)
SOUTH CENTRAL CIVILIAN PERSONNEL OPERATIONS CENTER
JOHN J. SPARKMAN COMPLEX, BLDG. 5304
REDSTONE ARSENAL, AL 35898-5222

JOB OPPORTUNITY ANNOUNCEMENT NUMBER: 01GL0009316KP6

OPENING DATE: 10 September 2001

CLOSING DATE: 09 October 2001

NUMBER OF VACANCIES: One

POSITION AND LOCATION: Attorney-Adviser (Real Property), GS-905-12

US Army Corps of Engineers, Memphis
Real Estate Division
Acquisition Branch
Memphis, TN

TYPE OF POSITION: Permanent Full-Time; Excepted Service

SALARY: \$51,927 - \$67,500 per annum

PROMOTION POTENTIAL: None

CPAC POINT OF CONTACT FOR ADDITIONAL INFORMATION: Mary Nell Blaylock, (901) 544-3902 or 800-317-4156 (then dial extension 3902) during regular business hours.

CONDITIONS OF EMPLOYMENT: (1) The Immigration Reform and Control Act of 1986 (Public Law 99-603) requires employers to hire only individuals who are eligible to work in the United States. Individuals selected under the vacancy announcement will be required to complete Form I-9, Employment Eligibility Verification, by providing the required documentation, as a condition of employment. (2) Direct Deposit/Electronic Funds Transfer (DD/EFT) is the standard method of payment within DoD for pay of personnel. If you are selected for the position, you will be required to elect DD/EFT. (3) Selective Service Registration is required for male applicants born after December 31, 1959, prior to appointment to Federal service. (4) Appointment is subject to meeting all physical requirements of the position. (5) Appointment is subject to meeting security requirements of position. (6) Selectee will be required to file a SF-450, Confidential Financial Disclosure Report. (7) A current, valid license to practice law in a state, territory of the United States, District of Columbia, or Commonwealth of Puerto Rico is a continuing condition of employment.

AREA OF CONSIDERATION: Any U.S. Citizen

DUTIES: Serves as Attorney Advisor (Real Property) performing review of legal questions as to the interpretation of statutes and regulations pertaining to real estate aspects of contracts between the Corps of Engineers and other Federal agencies, State and local governments, and private parties. Reviews laws affecting the legal ability of non-Federal entities to contract with the U.S., including legal analyses of statutes, case law, and Federal and State constitutions. Responsible for the independent review of Federal legislation which authorizes projects; participation in contract negotiations; the issuance of preliminary and final opinions as to sufficiency of title to real estate; review for legal adequacy and acceptability of title certificates, abstracts, and other types of title evidence and ownership data; and preparation of instruments for obtaining curative data. Drafts legal instruments such as Offers to Sell, deeds, leases, and various out-grant documents. Prepares unusual provisions and non-standard estates for Government use. Coordinates all precedent and major legal issues with the District Counsel, prepares litigation reports, and recommends legal positions to be taken. Advises real estate personnel and other district elements on all phases of real estate legal issues relating to project planning, implementation, construction, operation, and maintenance. Reviews details of contracts obtained for the lease, purchase, exchange, or use of real property for legal sufficiency and compliance. Reviews the legislative authority under which lands or interests are to be acquired, the legal documents involved, and makes determinations as to whether on completion of the transaction the Government will have obtained good, indefeasible title to the real estate as required for project purposes. Prepares written final opinions as to the sufficiency of title under delegated authority of the Attorney General of the U.S. Determines how to cure complex legal or factual defects found in preparing the final title opinions. Negotiates with senior attorneys and officials representing other Federal agencies, State and local governments, and the private sector in connection with the preparation of agreements between the U.S. and non-Federal entities. Approves and prepares real estate portions of contracts. Interprets the complex legal or factual implications of real estate features of such agreements insofar as the liability and duties of the respective parties are concerned. Reviews, analyzes, and recommends for approval on behalf of the U.S. the sufficiency of title belonging to or acquired by local sponsors for project purposes. Determines legal issues which must be addressed, researched, and resolved before contract responsibilities can be finalized and discharged. Responsible for legal input into negotiation, preparation, and administration of real estate features of relocation contracts. Makes final determinations for the District as to the legal content and sufficiency of condemnation assemblies. Prepares condemnation assemblies for use by Department of Justice attorneys. Participates in condemnation trials, represents District, and acts as

expert consultant to the Department of Justice. Determines witnesses to be used, counsels witnesses, and advises appraisers as to legal requirements of appraisal. Negotiates settlements and prepares legal documents, including stipulations, revestments of title, and related matters. Visits field offices to render advice and assistance on legal matters, closing of purchase transactions, transfer of tracts from purchase to condemnation, and to review the work of project personnel related to title curative and legal aspects of acquisition programs. Inspects work being accomplished and makes recommendations for improvements. Researches, analyzes, and provides legal advice on complex environmental legal and factual issues impacting the purchase or disposal of lands. Coordinates District real estate support to Huntsville Division for the Formerly Used Defense Sites, Environmental Restoration Program, and responds to requests for assistance in establishing methods and procedures to implement and accomplish inventory phases of program. Reviews projects for uniformity. Disseminates program requirements and conducts training workshops to assure uniformity in accomplishing program. May be required to administer claims pertaining to real estate, including claims for rent and other similar contractual services, damages to real property founded on express or implied contract, and claims for permanent or recurring damages to real property under the Fifth Amendment to the Constitution. Serves as real estate claims officer and obtains all evidence necessary for full consideration of claims. Investigates factual situations, interviews witnesses, determines law applicable to factual situation, and makes determinations regarding rights and liabilities of claimants and the Government. Provides legal analyses of realty aspects of District activities to other District components. Prepares claims officer's reports, making conclusions and recommendations as to allowance or disallowance of claims. May serve as legal advisor on such questions as authority to grant leases, licenses, easements, or permits for the use of Government owned real estate, authority to dispose of surplus real property or authority to enter into contracts on behalf of the Government concerning the use of Government real estate. Prepares non-standard instruments and reviews routine instruments prepared by others. Renders legal advice pertaining to the administration of out grants and contracts between the Government and other parties, and determines proper and improper uses of Federal real property. Negotiates directly with individuals and/or their attorneys in cases involving uses of Government property. Researches and advises as to questions of concurrent jurisdiction, retrocession, and Federal jurisdiction over real property. Performs other duties as assigned.

MINIMUM QUALIFICATION REQUIREMENTS: The following minimum qualification requirements must be met before applicants are eligible for further consideration. These requirements are preliminary to the rating and ranking step in identifying the best qualified group to be referred to the selecting official.

- (a) Education: Applicants must have successfully completed a full course of study in a school of law accredited by the American Bar Association and have the first professional law degree (L.L.B. or J.D.); and
- (b) Bar Membership: Applicants must be a member in good standing (as defined by the pertinent bar) of a state, territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. and
- (c) Experience: Must have two years of professional legal experience after admission to the bar commensurate with the duties of the position.

Exceptions to Minimum Qualifications: The Chief Counsel may make an exception to the minimum experience requirements stated above when the nominee has special qualifications. For example, a second professional law degree (Master of Laws (LL.M.) or graduation with a distinguished record from an accredited law school (e.g., in the top 25 percent of the class) may be recognized as a sufficient substitute for 1 year of required experience in professional legal work. A request for an exception will be submitted in the application.

TIME IN GRADE: Applicants currently employed by the Federal Government or who have been employed by the Federal Government in a permanent position within the past year, must have served for at least 52 weeks in a position at or above the next lower grade level. Non-appropriated fund service, non-General Schedule service, or combinations of certain other creditable service may be used to satisfy time-in-grade requirements when appropriate. Each case will be judged on its own merit.

RANKING FACTORS: A rating panel will review the qualifications of each applicant who meets the minimum qualification requirements based on all information submitted. The rating panel will determine the degree to which each applicant meets the job-related criteria specified under the Knowledge, Skills and Abilities (KSAs) and will rank all applicants accordingly. The best qualified applicants will be referred to the selecting official. To receive proper credit, all experience referred to in addressing the ranking factors must be documented in the application.

RATING AND RANKING FACTORS (KSA's):

- 1. Knowledge of Federal and state laws, regulations, and principles pertaining to real estate.
- 2. Ability to research, interpret, and apply laws, regulations, and policies.
- 3. Ability to communicate orally, including but not limited to, negotiating and dealing with diverse interest groups, organizations, officials, property owners, etc.

HOW TO APPLY: To be considered, all applicants must forward a completed application, including the documents shown below, to:

South Central Civilian Personnel Operations Center
John J. Sparkman Complex, Bldg. 5304
ATTN: SFCP-SC-B-6 (Paquin)
Redstone Arsenal, AL 35898-5222

****Applications (including all supporting documents) must be postmarked by the closing date of the announcement. Failure to submit any of the documents shown below will eliminate your application from consideration.****

- a. Completed Standard Form 171, Personal Qualifications Statement, the Optional Application for Federal Employment (OF-612), a resume, or any other written format of your choice (see bold note below). (All applicants)
- b. Law school transcripts. Official transcript of the applicant's law school record and an official statement of his/her relative standing in class. If class standing information is not obtainable, the substitution of other satisfactory evidence of law school accomplishments is acceptable. (Does not apply to current Corps of Engineers Attorneys)
- c. Official certificate showing that the applicant is a member in good standing of the bar. This certificate should be dated no more than 3 months before the opening date of this announcement. (Does not apply to current Corps of Engineers Attorneys)
- d. A sworn statement by the applicant that his or her fitness to practice law or conduct as an attorney has never been challenged in any jurisdiction. If either has been challenged, a sworn statement must be submitted giving the facts and circumstances, together with any explanation that the candidate considers appropriate. This statement should be notarized and should be dated no more than 3 months before the opening date of this announcement. (Does not apply to current Corps of Engineers Attorneys)
- e. Three letters of reference from members of the bar. (Does not apply to current Corps of Engineers Attorneys)
- f. Applicants claiming veterans preference must submit evidence of eligibility (i.e., DD form 214, or SF 15 with required documentation).
- g. Attachments addressing each of the Ranking Factors. (All applicants)
- h. Request for an exception to the minimum qualification requirements, if applicable. (All applicants)
- i. Current federal employees must submit copy of latest Notification of Personnel Action (SF-50). If you are applying as a Reinstatement Eligible, you must submit a copy of your last Notification of Personnel Action (SF 50) to be considered as a Reinstatement Eligible.
- j. Current federal employees must submit a copy of their most recent Performance Appraisal.

NOTE: Resume or any other written application format must, in addition to specific information requested in this job announcement, include the following: (1) Announcement number; (2) full name; (3) mailing address (with zip code); (4) social security number; (5) country of citizenship; (6) veteran's preference; (7) education level; (8) related work experience (job title, duties, employer's name and address, supervisor's name and phone number, starting and ending dates, hours per week, and salary); (9) whether or not we may contact your current supervisor; (10) and any other pertinent qualifications or related training courses, skills, certificates or licenses.

MISCELLANEOUS NOTES:

YOU MUST REMEMBER THAT YOU ARE RESPONSIBLE FOR THE COMPLETENESS AND ACCURACY OF THE INFORMATION THAT YOU PROVIDE. INCOMPLETE OR INACCURATE INFORMATION CAN BE CAUSE FOR YOUR RECEIVING A LOWER RATING OR AN INELIGIBLE RATING. YOU WILL BE PROVIDED A WRITTEN NOTIFICATION OF OUR EVALUATION OF YOUR APPLICATION.

You may not:

- mail your application in a franked Government envelope;
- use any other Government resources for submitting your application. You will be rated ineligible if your application is received by any of these means. All applications become property of the Personnel Office.

SPECIAL NOTES: PCS expenses WILL be paid. DoD National Relocation Program (DNRP) will NOT be paid. PRIORITY CONSIDERATION: Employees entitled to Priority Consideration have already been given consideration for this position. To be further considered, apply under this announcement and compete with other candidates.

This position is in the Excepted Service without time limitation and will not be filled by Competitive Appointment. Service in this position may be fully creditable toward Civil Service Retirement. Any selected applicant who is in the Competitive Service will be taken out of the Competitive Service when he or she occupies this position and will compete only with other Excepted Status Employees in the event of a Reduction-In-Force. He or she will, however, remain eligible for Reinstatement in the Competitive Service.

Applicants will receive appropriate consideration without regard to non-merit factors such as race, color, religion, sex, national origin, marital status, sexual orientation except where specifically authorized by law, age, policies or disability which do not relate to successful performance of the duties of this position. Otherwise qualified applicants with disabilities who need reasonable accommodation may notify the agency Point of Contact on this announcement of their need.

DEPARTMENT OF ARMY IS AN EQUAL OPPORTUNITY EMPLOYER